

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Innocenti Carlo; Remo Marzio

SERIAL NO.: 11/469,861

ART UNIT: 3671

FILED: September 2, 2006

EXAMINER: Torres, A. M.

TITLE: THERMAL TRANSFER PRINTER/LABELLER SPECIFICALLY DESIGNED FOR
CASSETTES OR READY-TO-USE PACKAGES

Amendment A: REMARKS

Upon entry of the present Amendments, previous Claims 1-4 have been canceled and new Claim 5 substituted therefor. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present Amendments have been entered for the purpose of more clearly distinguishing the present invention from the prior art and also for the purpose of placing the claim language into a more proper U.S. format.

In the Official Action, it is indicated that Claims 1, 3 and 4 were rejected under 35 USC § 103(a) as being unpatentable over the Nagasaki patent in view of the Yamaguchi publication. Claim 2 was rejected under 35 USC § 103(a) as being unpatentable over the Nagasaki patent in view of the Yamaguchi publication and further in view of the Bellotto patent. Claims 1 - 4 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The drawings were objected to under 37 C.F.R. § 1.83(a). The disclosure and specification were objected to because of minor informalities.

As an overview to the present reply, Applicant has revised previous Claims 1 - 4 in the form of new independent Claim 5. New independent Claim 5 reflects the limitations of previous

independent Claim 1, but expresses such limitations in a more proper U.S. format, including proper antecedent bases and proper structural interrelationships throughout. Any indefinite terminology found in the original claim language has been corrected herein.

In the Official Action, it should be noted that new independent Claim 5 specifies that there is a "first driving shaft" extending "outwardly" of the enclosure structure so as to be suitable for receiving a driving force applied thereto. It is specified that there is second cassette positioned within the enclosing structure. A second driving shaft extends outwardly of the enclosing structure so as to be suitable for receiving a driving force. Additionally, it is indicated that there is a "print head adjustment arm" integrally connected to the thermal printhead and suitable for adjustably moving the thermal printhead in the enclosing structure. The "rubber-coated drive roller" is now specified as positioned "adjacent" the thermal printhead in the enclosing structure. Applicant respectfully contends that these features serve to distinguish the present invention from the prior art combination.

The importance of the present invention is its ability to improve the loading of a "automatic machine for printing holograms, marks, barcodes and variable data on labels and films". As such, the present invention is specifically related to "thermal transfer" printers.

In the Nagasaki patent, there is shown a printer incorporated into a electronic camera. Applicant respectfully contends that this is not a "thermal printer" and, as such, would not have the "thermal printhead".

In particular, in the Nagasaki patent, there is not disclosed a second cassette that can be received within "enclosing structure". The Nagasaki patent shows a single tape cassette that is placed within the camera. There is disclosed an "enclosing structure" in the Nagasaki patent, but

there is not disclosed a separate "second cassette". Quite clearly, in this illustrations of the Nagasaki patent, there is not shown a "first driving shaft" and "second driving shaft" that extend outwardly of the enclosing structure. Quite clearly, in the nature of an electronic camera, it would not be suitable to have drive shafts extending outwardly of the camera housing so as to allow a driving force to be applied to these driving shafts. The Nagasaki patent does show a printhead, but does not show either a "thermal" printhead nor a "printhead adjustment arm". Applicant respectfully contends that the structure of the Nagasaki patent could not be applied in the thermal printing processes associated with the present invention. The structure of the Nagasaki patent is quite different then the structure of the present invention as claimed in Independent Claim 5.

The Yamaguchi publication does show a label printing device. Fundamentally, Applicant's attorney finds that it would be very difficult to combine the teachings of the Yamaguchi publication with the teachings of the Nagasaki patent. In view of the complete difference in application of the "label printing device" of the Yamaguchi publication and the camera printing device of the Nagasaki patent, the combination of such structures would be very difficult.

Yamaguchi patent lacks the "first and second cassettes". The Yamaguchi patent also appears to lack the "shafts that extend outwardly of the enclosing structure". The Yamaguchi patent fails to show a "printhead adjustment arm". The Yamaguchi patent also lacks the "rubber-coated drive roller" that is positioned "adjacent" the thermal printhead. On this basis, Applicant respectfully contends that the Yamaguchi publication would also fail to show the structures of the present invention, individually, or in combination with the Nagasaki patent.

Applicant has revised the specification so as to correct for the informalities therein. In particular, Applicant has deleted the "motor drives" and the "controlled devices for rewinding and

checking the ribbons for ware". The specification herein has been revised so as to remove the reference to the "rubber-coated drive roller 8" and to identify properly as the "support 8 for the rubber-coated rollers".

Based upon the foregoing analysis, Applicant contends that Independent Claim 5 is patentably distinguishable from the prior art combination. Reconsideration of the rejections in allowance of the present claims at an early date is earnestly solicited. Since no new claims have been added of those originally paid for, no additional fee is required.

Respectfully submitted,

July 6, 2009

Date

Customer No. 24106

/John S. Egbert/

John S. Egbert; Reg. No. 30,627
Andrew W. Chu; Reg. No. 46,625
Egbert Law Offices
412 Main Street, 7th Floor
Houston, Texas 77002
(713)224-8080
(713)223-4873 fax